

3721

PATENT App No. 08/833,342

#33  
K. Galt  
11/30/00

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: Maa, Shalong

Application No.: 08/833,342

Art Unit: 3713

Filing Date: April 4, 1997

For: Computer-Controlled Talking Figure Toy with Animated Features

FAX RECEIVED

NOV 14 2000

GROUP 3700

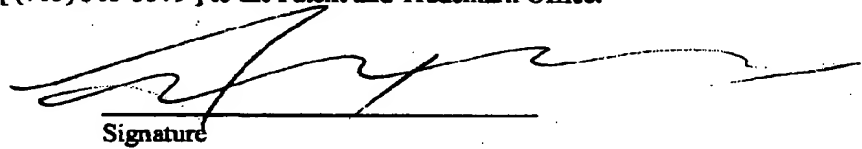
Assistant Commissioner for Patents  
Attn: Group Director  
Washington, D.C. 20231

REQUEST FOR RETAINING THE PRIMARY/SUPERVISORY EXAMINER

Certificate of Mailing / Transmission Under 37 C.F.R. 1.8(a)

I hereby certify that, on the day shown below, this correspondence is being:

☒ Transmitted by facsimile [ (703) 305-3579 ] to the Patent and Trademark Office.



Signature

Date: 11/14/2000

Shalong Maa  
(Type or print name of person certifying)

**PATENT App No. 08/833,342**

Applicant acknowledges that Mr. Vo Peter Dung has been assigned as the Primary/Supervisory Examiner of the present case in replacement of Ms. Valencia Martin-Wallace. However, Applicant is not aware of any PTO rule that requires such change. Therefore, Applicant respectfully requests that, Ms. Valencia Martin-Wallace be retained as the Primary/Supervisory Examiner of the present case, and respectfully represents that Applicant does not agree with such change of Primary/Supervisory Examiner.

Respectfully submitted,

By: 

Shalony Maa

(Print name of person signing)

Date: 11/14/2000  
SMA International, Inc.  
816 McDeavitt Dr., 1077  
Arlington, TX 76011  
(817) 795-3526

PATENT

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TELEPHONE INTERVIEW SUMMARY

The telephone interview between the undersigned Applicant and the Group Director, Ms. E. Rollins-Cross on 11/13/2000 is summarized herein as follows:

- (1) Applicant pointed out that the Examiners assigned to the present case have not been following the Examination procedures described in MPEP. For example, the "Notification of Non-Compliance with 37 CFR 1.192(c)" dated 07/26/2000 (Paper No. 28) does not comply with MPEP§ 1206 which states that, "*The brief of a pro se appellant which does not contain all of the items, (1) to (9), specified in 37 CFR 1.192c will be accepted as long as it substantially complies with the requirements of items (1), (2), and (8)*" [Note: description of other problems in the previous Office Actions are provided in Applicant's Petitions filed 10/27/1999 and 06/13/2000]

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Signature

Shalong Maa  
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**PATENT**

- (2) Applicant also pointed out that the prosecution of the present application have been delayed by the Examiners repeatedly and for substantial amount of time [the Examiners did not respond to Applicant's communication filed 10/27/99 for more than six months until 05/15/2000; and the Examiner has not yet acted on (the answer to) Applicant's Appeal Brief, which was filed more than five months ago on 06/06/2000];
- (3) Applicant mentioned the importance and projected market value of the invention and potential damage to Applicant's business interests caused by the delay;
- (4) The Group Director agreed that the Examiner(s) will complete the answer to Applicant's Appeal Brief by the end of this week (11/17/2000);
- (5) Applicant acknowledged, during the interview, that the Primary/Supervisory Examiner of the present case has been changed to Mr. VO PETER DUNG. According to Applicant's understanding, the Group Director cited the Assistant Examiner Mr. John Paradiso's changing group unit as cause thereof.

Respectfully submitted,

By: 

*Shalong Maa*

(Print name of person signing)

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## TELEPHONE INTERVIEW SUMMARY

The telephone interview between the undersigned Applicant and the (Assistant) Examiner Mr. John Paradiso on 11/13/2000 is summarized herein as follows:

- (1) Applicant pointed out that Examiners' "Notification of Non-Compliance with 37 CFR 1.192(c)" dated 07/26/2000 (Paper No. 28) does not comply with MPEP§ 1206 [which states that, "*The brief of a pro se appellant which does not contain all of the items, (1) to (9), specified in 37 CFR 1.192c will be accepted as long as it substantially complies with the requirements of items (1), (2), and (8)*"];]
- (2) Applicant also pointed out that the prosecution of the application has been delayed by the Examiners repeatedly and for substantial amount of time [the Examiners did not respond to Applicant's communication filed 10/27/99 for more than six months until 05/15/2000; and the Examiners have not yet acted on (the answer to) Applicant's Appeal Brief, which was filed more than five months ago on 06/06/2000];

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Shalong Maa

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(Type or print name of person certifying)

**PATENT**

- (3) The Examiner agreed to complete the answer to Applicant's Appeal Brief by Thursday of this week (11/16/2000);
- (4) Applicant mentioned to the Examiner the importance and projected market value of the invention and potential damage to Applicant's business interests caused by the delay.

Respectfully submitted,

By: 

Shalong Maa

(Print name of person signing)

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SMA International, Inc.  
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Arlington, TX 76011  
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